



# Town of New Windsor

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## OFFICE OF THE PLANNING BOARD

WEDNESDAY - AUGUST 28, 2002 - 7:30 PM

### TENTATIVE AGENDA

#### CALL TO ORDER

#### ROLL CALL

APPROVAL OF MINUTES DATED: JUNE 26, 2002 & JULY 10, 2002

#### ANNUAL MOBILE HOME PARK REVIEW:

- a. Windsor Enterprises Mobile Home Park – Caesars Lane

#### POSSIBLE Z.B.A. REFERRALS:

1. PLYMPTON HOUSE (02-23) 10 PLYMPTON STREET (BROWN )  
Proposed conversion of existing office building into catering business

#### PUBLIC HEARING:

2. FOX MEADOW SUBDIVISION (01-51) TOLEMAN ROAD (HIGGINS)  
Proposed 23 lot residential subdivision

#### REGULAR ITEMS:

3. VAN LEEUWEN, HENRY (ROCK TAVERN VILLAGE) LOT LINE CHANGE (02-24)  
TOLEMAN ROAD & RT. 207 (PIETRZAK & PFAU) Proposed lot line change.
4. VAN LEEUWEN, HENRY SUBDIVISION (02-25) BEATTIE ROAD (PIETRZAK&PFAU)  
Proposed 2-Lot residential subdivision.

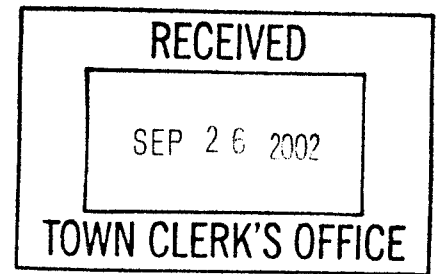
#### DISCUSSION

#### ADJOURNMENT

(NEXT MEETING –SEPTEMBER 11, 2002)

August 28, 2002

TOWN OF NEW WINDSOR  
PLANNING BOARD  
AUGUST 28, 2002



MEMBERS PRESENT: JAMES PETRO, CHAIRMAN  
RON LANDER  
JERRY ARGENIO  
THOMAS KARNAVEZOS  
JAMES BRESNAN

ALSO PRESENT: MARK EDSALL, P.E.  
PLANNING BOARD ENGINEER

MICHAEL BABCOCK,  
BUILDING INSPECTOR

ANDREW KRIEGER, ESQ.  
PLANNING BOARD ATTORNEY

MYRA MASON  
PLANNING BOARD SECRETARY

REGULAR MEETING

MR. PETRO: I'd like to call the regular meeting of the New Windsor Planning Board to order for Wednesday, August 28, 2002. Please stand for the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited.)

APPROVAL OF MINUTES DATED JUNE 26, 2002 AND JULY 10, 2002

MR. PETRO: Has everyone had a chance to read the minutes dated June 26, 2002 and July 10, 2002? Motion to accept the minutes as written.

MR. BRESNAN: So Moved

MR. ARGENIO: Second

MR. PETRO: Motion has been made to accept the minutes as written for those two dates any further discussion from the Board members, if not, roll call.

ROLL CALL:

Mr. ARGENIO	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

### REGULAR MEETING

MR. PETRO: First on tonight's agenda is the annual mobile home park review for Windsor Enterprises Mobile Home Park on Caesars Lane and I see Mr. Lease is here to represent that. I also have to inform the Board that I own 50% of Windsor Enterprises, therefore, I will excuse myself from this action and turn it over to Mr. Lander.

MR. LANDER: Uh, Mike someone from your office has been down to Windsor Enterprises Mobile Home Park?

MR. BABCOCK: Yes we have Mr. Chairman, we have given them a list of things that have to be done and to my knowledge the guys are working with them down there with the exception of one item. The car has to be moved and I have talked to him and he is in the process of getting them moved out.

MR. LANDER: OK, Can I get a motion to approve..

MR. BRESNAN: So moved.

MR. ARGENIO: Second it.

MR. LANDER: Motion has been made and seconded that the New Windsor Planning Board grant a one year extension to the Windsor Enterprise Mobile Home Park. Any other discussion. Roll Call then.

ROLL CALL:

Mr. ARGENIO	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE

MR. LANDER: Do you have a check for \$100.00 made out to the Town of New Windsor.

MR. LEASE: Yes.

POSSIBLE Z.B.A. REFERRALS

PLYMPTON HOUSE (02-23)

MR. PETRO: OK – Possible ZBA referrals is the Plympton House, 10 Plympton Street represented by Mr. Brown. The application proposes the use of existing facilities and site for a catering operation. The plan is reviewed on a concept basis only. The property is located in a PI Zoning District. Catering is not a use by right in the zone. As such it is preferred that this board refers this application to the Zoning Board of Appeals for necessary action. Mark's note here says, "It may be beneficial that the Board discusses in the record the history of the non-successful applications that have been before this board for this property. As well, a general planning opinion of the site for the proposed use would be helpful."

We have had quite a few people come in on this site for a number of different applications, one was a school I believe, one was a funeral parlor and nothing ever came of it but, I think that that is not necessarily from a planning aspect as it may be from a business aspect as the whole property. So, it may not affect you, I am just giving you my opinion. Why don't you just give us... again we are going to send you to the Zoning Board... but it would be a good idea if you at least tell us what you are doing briefly anyway.

MR. BROWN: We will use the existing building..... inaudible....

MR. PETRO: Mark, this is going for a use variance?

MR. EDSALL: Yes, that is why I thought it was important that the Zoning Board understand that this has been before the Board on several occasions for other uses and that it appears that there is difficulties developing the other uses here successfully. That is one of the criteria for considering a use variance. I thought it was worthwhile to have that on record and, again secondly, if the Board believes there is any planning concerns, it might be worthwhile to discuss it now, if not, we can send them over.

MR. PETRO: You're using the existing building, correct? I don't see any additions or changes to the main structure. So, basically, it is just the use of the interior structure and the parking layout. Mark, you must have gone over the parking layout.

MR. EDSALL: Yes, well I'm deferring the detailed review until they are done with the ZBA.

MR. PETRO: Well, I think it has been empty a long time there, I think it would be nice to have a nice use there and again, I'll say it again and repeat myself, "I don't necessarily think that it was all planning issues that kept that building from being occupied in the past. I think it had something to do with the applicants. So, I think if you had the right person there and develop it properly I think it would be a good spot and I think the Board should give a Positive Recommendation to the Town of New Windsor Zoning Board. That is my opinion if anyone wants to ...

MR. ARGENIO: Is that the building as you go down the hill on Walsh's Road it's on your left side and looks like a big old home. I think I'm familiar with it now.

MR. PETRO: It would just be nice to have something nice there. OK – do we have a motion for final approval.

MR. LANDER: So moved.

MR. KARNAVEZOS: Seconded

ROLL CALL:

Mr. ARGENIO	NO
MR. BRESNAN	NO
MR. KARNAVEZOS	NO
MR. LANDER	NO
MR. PETRO	NO

MR. PETRO: At this time, you have been referred to the Town of New Windsor Zoning Board for your necessary variances or variance. If you are successful and receive that variance and wish to return to this board once again, you have the right to do so. We will see you then. Then again, I think we are sending the applicant with a positive recommendation, does anybody disagree with that? OK.

FOX MEADOW SUBDIVISION (01-55)

MR. PETRO: OK – next on tonight's agenda is a public hearing, Fox Meadow Subdivison on Toleman Road represented by Mr. Higgins. This application proposes the major subdivision of the 82.4 acre parcel with a horse farm to remain. Is the horse farm still remaining? At one time it was gone.

MR. HIGGINS: It is lot 24.

MR. PETRO: Ok. The plan has been previously been previously reviewed at the August 8, 2001, 14 November 2002, 23 January 2002, 26 June 2002 Planning Board meetings. The property is located in an R-1 zoning district. Is there anyone here for this public hearing. All right what we do first is that we review it as a Board and then I'll open it up to the public, OK? Then you will have time to comment. All right, give us a quick overview. We've seen this at least six times, so, bring us up to date.

MR. HIGGINS: Well, basically, the layout hasn't changed substantially since the last time we were here. What we are proposing is a subdivision into 24 lots with 23 of those being single-family residential and lot 24, as I mentioned earlier, will be a single family residential with also the use of a horse farm. Originally the subdivision proposed was 33 lots but, in order to more properly lay out the lots .....inaudible.....down to 24 lots. The lots are to be serviced by individual wells and sub-surface sewage disposal systems as will be reviewed by Orange County Department of Health upon preliminary approval. We submitted drainage reports for analysis for peak discharge off the site for 2, 10, 25 and 100 year storms and also submitted the report that shows the design and analysis of the proposed systems for the storm drainage. There are two parcels that are being proposed for storm water quality management. These parcels will be offered to the town for maintenance.

MR. PETRO: We had asked a number of times for some informatin on the water after it is discharged from the storm water quality management basin. Have you done any down stream calculations as to where it is going and give us some idea of where it is going. I mean you are collecting 82 acres here of water in that storm basin and I realize you are going to be letting it out supposedly at the same rate, but, sometimes in theory it works better than reality.

MR. HIGGINS: Basically, that is all discussed in the drainage report. I will say that in general the drainage .....inaudible.....are unchanged.

There are, there should be an area that comes from across Toleman Road and the area of Little Brook Court and Toleman Court up in this area. There is a contributing area that comes on to the site and there is a high point located right about where the cul-de-sac is. This all drains down to a low area that are wetlands. It drains across the site and through an existing 48" reinforced concrete pipe which goes under Melissa Lane. What the drainage report addresses, as is standard for this type of development, we must maintain the post development peak discharge be less than the pre-development peak discharge ..... inaudible.....

MR. PETRO: Let me ask you this again, where does it go when it leaves the storm water basin?

MR. HIGGINS: I don't know downstream where it goes. I know there is a very large...

MR. PETRO: Now you are saying downstream where it already goes and not at a greater rate.

MR. HIGGINS: Exactly.

MR. PETRO: Does anybody know where it goes?

.....inaudible..... refer to tape.

MR. PETRO: Do any of the members want to say anything or should we hear from the public first? If not, this is a public hearing and we will open it up to the public. On August 15, 2002 35 addressed envelopes were mailed out for the notice of public hearing and 18 for the agricultural notice. If someone is here that would like to speak for or against this application, please stand and be recognized by the chair, come forward and state your name and address and your concern.

MR. SEAGAL: My name is Brian Seagal and I live at 28 Melissa Lane in Washingtonville. ....inaudible..... spoke regarding drainage.

MR. PETRO: If you look at the plan, see the topo lines, do you know what they are on the plan, all those little lines. Show him what the topo lines are. OK. If you notice that just that lot basically is effecting your rear yard. Most of the water, see how those numbers get smaller as they go towards you, that means the land is sloping toward you. You notice most of the numbers are going the other way. Show him where the water is flowing from there.

MR. HIGGINS: Basically,.....inaudible.....

Discussion between Mr. Seagal and Mr. Higgins held .... inaudible...

MR. PETRO: I would say, from looking at this plan, the way it's prepared now, that you would either not have an increase or benefit from the construction.

MR. SEAGAL: Ok.

MR. PETRO: Because if you notice, most of it is being taken in the opposite direction.

MR. SEAGAL: ....inaudible.....

MR. PETRO: Are you talking about your drinking well water?

MR. SEAGAL: What with 24 more homes.... is there any measurement of those.

MR. PETRO: I love this question.

MR. SEAGAL: Yeah, I'm sorry, I never had a well before and I wanted to know.....my point is that I got a lot of water above the ground and I don't know how much water is below the ground.

MR. PETRO: It's not really a Planning Board question because everybody has a right to drill a well. To give you more of a realistic answer, there is a lot of different aquifers in the land and there is no way of knowing. You could drill one well 5' away from another well and have a completely different source of water. There is no way to predetermine that by drilling other wells whether it would have an affect on your or it won't. The law states that everybody who has these lot has a right to drill the well, the same as they drilled a well for your house. That is the way this Board has to review it and look at that, we can not determine that it may or may not have an affect on your well. Again, in reality, I doubt it will have any affect because there is so many different streams under the earth that I don't think it will have an affect. The groundwater that you see running around on the top and the water that we are talking about, has no affect on your well water.

MR. SEAGAL: .....inaudible.....

REFER TO TAPE: DISCUSSION INAUDIBLE.

REFER TO TAPE FOR REMAINDER OF  
MEETING